

REMARKS/ARGUMENTS

Applicants acknowledge receipt of the Office Action dated September 26, 2005. By this Response, claims 18-20 are cancelled, and new claims 21-23 are added. Claims 1-17 and 21-23 are now pending in the application. The Examiner has requested the Applicants to affirm election of the claims of Group I. In addition, claims 1-13 and 16-17 are rejected under 35 U.S.C. § 103 as being unpatentable over Phanopoulos, WO 00/44803 ("*WO '803*") in view of Cone et al., U.S. Patent No. 4,115,178 ("*Cone*"), and vice versa. The Examiner has also rejected claims 14-15 under 35 U.S.C. § 103 as being unpatentable over *WO '803* in view of *Cone* as applied to claim 6 or 7, and further in view of either Robitschek et al., U.S. Patent No. 4,403,013 ("*Robitschek*") or National Evaluation Report (dated 11-2002) on LINESTAR™ Adhesives ("*LINESTAR™*"). Applicants believe all pending claims are allowable over the art of record and respectfully request reconsideration and allowance of all claims.

I. The Applicants affirm election of Group I.

The Examiner has requested the Applicants to affirm election of Group I. By this Response, Applicants affirm the election of Group I (claims 1-17) without traverse.

II. Claims 1-13 and 16-17 are patentable over *WO '803* in view of *Cone*, and vice versa.

Applicants respectfully traverse the Examiner's rejections of claims 1-13 and 16-17 under § 103 as being unpatentable over *WO '803* in view of *Cone*, and vice versa. Applicants submit that contrary to MPEP § 2143, the Examiner has failed to make a *prima facie* case of obviousness in rejecting such claims in that (1) the Examiner has failed to cite references that teach or suggest all of the elements recited in the rejected claims, and (2) the Examiner has failed to articulate a motivation or suggestion to combine the references with a reasonable expectation of success.

Claim 1 is an independent claim upon which claims 2-13 and 16-17 depend. Claim 1 recites "conveying at least one of the plurality of wood veneers through the ribbon coating apparatus and applying a layer of the organic polyisocyanate laminating adhesive in liquid form to a face of the at least one wood veneer in a single pass through the ribbon coating apparatus to obtain a liquid polyisocyanate coated veneer." In regards to *WO '803* in view of *Cone*, nothing in *WO '803* teaches or suggests a ribbon coating apparatus. For instance, the Examiner notes that *WO '803*

"does not teach using '*a ribbon coating apparatus*' for applying an adhesive onto a surface of a veneer." (Office Action, pg. 3, para. 7)

Cone cannot supply *WO '803* with these missing limitations because the Examiner has not articulated a motivation or suggestion to combine *WO '803* and *Cone* with a reasonable expectation of success with respect to claim 1. The Examiner notes that "it would have been obvious in the art to use '*a ribbon coating apparatus*' for applying a **foamable** moisture-curable isocyanate adhesive onto a surface of a veneer in a process taught by *WO '803* because: a) *Cone* . . . teaches the desirability of applying continuous or discontinuous **foamable** adhesive ribbons using a ribbon coating apparatus." (Office Action, pgs. 3-4, para. 7 (Emphasis added)). However, *WO '803* teaches that "it would be beneficial" to use unfoamed adhesives. (*WO '803*, pg. 3, lns. 17-19) For instance, *WO '803* teaches that "foamed materials are **generally weak** and do not perform adequately." (*WO '803*, pg. 3, lns. 14-16 (Emphasis added)). To the contrary, *Cone* teaches using foamable adhesives. For instance, *Cone* teaches "[t]he liquid glue may comprise any **foamable** liquid glue . . . These normally are mixed with gases such as air or nitrogen in the preparation of the foamed product." (*Cone*, col. 3, lns. 2-9 (Emphasis added)). Moreover, *Cone* teaches away from using unfoamed adhesives. As an example, in teaching the benefits to the pressing operation of the foamed adhesive, *Cone* further teaches that such benefits are "not the case when unfoamed glues are used." (*Cone*, col. 6, lns. 12-21) Therefore, the Examiner has not articulated a motivation or suggestion to combine *WO '803* and *Cone* because *WO '803* and *Cone* teach away from each other in regards to the adhesives.

In regards to *Cone* in view of *WO '803*, nothing in *Cone* teaches or suggests an "organic polyisocyanate laminating adhesive," as recited by claim 1. *WO '803* cannot supply the missing limitations to *Cone* because, as noted above, the Examiner has not articulated a motivation or suggestion to combine *WO '803* and *Cone* with respect to claim 1 with a reasonable expectation of success.

Accordingly, Applicants respectfully request that the Examiner withdraw the § 103 rejections and allow claim 1. Since independent claim 1 is submitted to be allowable, dependent claims 2-13 and 16-17 must *a fortiori* also be allowable, since they carry with them all the limitations of claim 1.

III. Claims 14-15 are patentable over *WO '803* in view of *Cone* as applied to claim 6 or 7 and further in view of either *Robitschek* or LINESTAR™.

Applicants respectfully traverse the Examiner's rejections of claims 14-15 under § 103 as being unpatentable over *WO '803* in view of *Cone* as applied to claim 6 or 7 and further in view of either *Robitschek* or LINESTAR™. Applicants submit that contrary to MPEP § 2143, the Examiner has failed to make a *prima facie* case of obviousness.

Claims 14-15 depend upon independent claim 1. Claim 1 recites "conveying at least one of the plurality of wood veneers through the ribbon coating apparatus and applying a layer of the organic polyisocyanate laminating adhesive in liquid form to a face of the at least one wood veneer in a single pass through the ribbon coating apparatus to obtain a liquid polyisocyanate coated veneer." As noted above in Section II, *WO '803* in view of *Cone* and vice versa do not teach or suggest conveying at least one of the plurality of wood veneers through the ribbon coating apparatus and applying a layer of the organic polyisocyanate laminating adhesive in liquid form to a face of the at least one wood veneer in a single pass through the ribbon coating apparatus to obtain a liquid polyisocyanate coated veneer. Furthermore, neither *Robitschek* nor LINESTAR™ can supply the missing limitations to *WO '803* or *Cone*. For instance, nothing in *Robitschek* or LINESTAR™ teaches or suggests a ribbon coating apparatus.

Applicants therefore respectfully submit that the Examiner has failed to articulate a *prima facie* case of obviousness in rejecting claims 14-15, because, contrary to MPEP section 2143, the Examiner has failed to cite references that teach or suggest all of the elements recited in the rejected claims. Since independent claim 1 is submitted to be allowable, dependent claims 14-15 must *a fortiori* also be allowable, since they carry with them all the limitations of independent claim 1.

IV. New claims 21-23 are allowable.

Claims 21-23 are dependent upon independent claim 1. As noted above, Applicants respectfully submit that independent claim 1 is allowable. Therefore, Applicants submit that claims 21-23 are allowable because they contain all elements of independent claim 1.

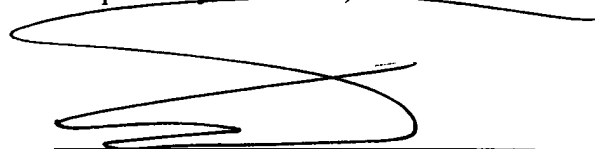
V. Conclusion

Applicants respectfully request reconsideration, allowance of the pending claims and a timely Notice of Allowance be issued in this case. If the Examiner feels that a telephone conference would expedite the resolution of this case, the Examiner is respectfully requested to contact the undersigned.

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the prior art that have yet to be raised, but which may be raised in the future.

If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Conley Rose, P.C. Deposit Account Number 03-2769.

Respectfully submitted,



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